

REMARKS

Claims 1, 3, 5-8, 11, 13-15, 18-29 and 22 stand rejected under 35 U.S.C. 102(e) as being anticipated by Numata et al. (U.S. Patent No. 6,931,525). In response, Applicant amended independent claims 1 and 14 to clarify that the first or second basic software operates based on a recognition of the operating mode at the start of the boot program; the second storage, which stores the second basic software, is incorporated in the information processing device; and that the second basic software makes the information processing device read-in data via the network from an opposite device on the network based on a starting of the second basic software, and respectfully traverses the rejection as it applies to the amended claims.

Numata discloses a second OS storing section 16 integrated in a main body of an information processing unit 1. However, Numata has a portable recording medium, such as a floppy disk, that has to be inserted into the second OS storing section 16. Column 7, lines 25-30 of Numata further teaches that a drive device, such as a floppy disk drive, is needed so that the OS storing section 16 can serve as a boot device. Numata fails to disclose or suggest a structure that distinguishes a basic software from recovery data as additional data and a structure that receives the recovery data via a network.

In contrast, amended claims 1 and 14 now call for the second basic software as being incorporated in the information processing device and additional data as being received using a network. In the present invention, no drive device for

removable recording media is required in the information processing device, unlike Numata. This is because the information processing device of the present invention internally incorporates the second storage storing the second basic software. (See, for example, FIGs. 1-2 and paragraph [0063] of Applicant's specification).

In the present invention, the second basic software is stored in the second storage internally incorporated in the information processing device. Recovery data is received from an opposite device on the network outside the information processing device. Accordingly, it is not necessary with the present invention to provide the processing device with a device for recovery, such as a CD-ROM. Advantageously, information processing, such as recovery and/or update of the processing device and a first basic software, can be performed more easily. In particular, the recovery processing can be quickly performed when a failure occurs. Moreover, by giving various functions to the second basic software, the processing device can operate with a plurality of servers and can easily perform processing in accordance with the state of each server. Moreover, using the present application is not necessary to provide the opposite device side for the processing device with a complicated program. Therefore, the load on the opposite side device can be reduced. Since Numata fails to disclose the above-described features, and can not achieve the advantages listed above, Applicant respectfully requests withdrawal of the §102(e) rejection of claims 1, 3, 5-8, 11, 13-15, 18-19 and 22.

Claims 2, 4, 9-10, 12, 16-17 and 20-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Numata either alone or in combination with one or

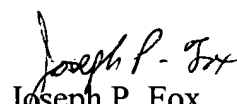
more of Wikipedia's IP Address article, Liu (U.S. Patent No. 6,009,541), Wikipedia's Flash Memory and EEPROM, and Moshayedi (U.S. Pub. No. 2005/0044454). In response, Applicant traverses the rejections of these claims for the reasons recited above with respect to the rejection of independent claims 1 and 14.

Since claims 2, 4, 9-10, 12, 16-17 and 20-21 ultimately depend upon claims 1 and 14, they necessarily include all the features of their associated independent claim plus other additional features. Thus, Applicant submits that the §103(a) rejections of these claims have also been overcome for the reasons as mentioned above to overcome the rejections of independent claims 1 and 14. Applicants respectfully request that the §103 rejections of claims 2, 4, 9-10, 12, 16-17 and 20-21 also be withdrawn.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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